

(CCC)

HOWARD TRAPP INCORPORATED  
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**FILED**  
DISTRICT COURT OF GUAM

JAN 18 2006 *gP*

MARY L.M. MORAN  
CLERK OF COURT

Attorney for defendant

DISTRICT COURT OF GUAM

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UNITED STATES OF AMERICA,	(	Criminal Case No. 04-00008
	)	
Plaintiff,	(	WAIVER
	)	
vs.	(	
	)	
KUANG-HUA CHEN,	(	
	)	
Defendant.	(	

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I, Kuang-Hua Chen, declare that I am the defendant in this case.

2. My language is the Mandarin dialect of Chinese (hereinafter “my language”).

3. My attorney in this case is Howard Trapp.

4. Mr. Trapp is retained.

5. I understand that the government intends to call, as one of its

**ORIGINAL**

witnesses, on the trial of this case, a certain Peter Weay Jung Shih. The government has moved the Court to determine whether Mr. Trapp has an inherent conflict of interest regarding his representation of me and, if so, whether such conflict may be properly cured by waiver. I understand that the grounds for the motion arise out of the successive representation, by Mr. Trapp, of Mr. Shih and myself. I have fully discussed with Mr. Trapp the facts of this case and the circumstances and possible consequences of the successive representation, by Mr. Trapp, of Mr. Shih and myself. Mr. Trapp has fully discussed the advantages and disadvantages of the successive representation and how the successive representation may affect my rights and the outcome of this case. These discussions regarding successive representation have taken place directly with Mr. Trapp; everything that Mr. Trapp said was translated for me into my language; and everything that I said was translated for Mr. Trapp into English.

6. While I am fully aware of my right to representation by an attorney other than Mr. Trapp, I want Mr. Trapp to represent me in connection with this case, and I am fully satisfied that he has, at all times, represented my best interests and that my interests have not been compromised in any way.

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7. I represent to the Court that I have given full consideration to these matters and that I waive my right to representation by an attorney other than Mr. Trapp and request that Mr. Trapp continue to represent me in this case.

8. I understand everything contained in this document, and everything contained in this document was translated for me into my language before I affixed my signature hereto.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 17, 2006, at Hagåtña, Guam.



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KUANG-HUA CHEN

(DOCUMENT\Waiver.KChen)

## DECLARATION OF SERVICE

I, Reina Y. Urbien, declare that I am an administrative assistant employed in the office of Howard Trapp Incorporated, Howard Trapp, Esq., the attorney for defendant herein, and that on January 18, 2006, I served the document to which this declaration is annexed on Marivic P. David, Esq., Assistant United States Attorney, the attorney for plaintiff herein, by leaving a copy at her office at Office of the United States Attorney for Guam and the Northern Mariana Islands, Suite 500, Sirena Plaza, 108 Hernan Cortez Avenue, Hagåtña, Guam, her last known address, with a person in charge thereof.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 18, 2006, at Hagåtña, Guam.

  
REINA Y. URBIEEN